

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

**NORMAN TODD,**

Plaintiff,

vs.

**CITY OF CLANTON, ALABAMA**, a  
municipal corporation; by and through  
its **MAYOR, HONORABLE BILLY  
JOE DRIVER**, in his official capacity as  
Mayor and individually; **POLICE CHIEF  
JAMES HENDERSON**, in his official  
capacity, as well as individually;  
**CORPORAL GREG CHARLES**, in his  
official capacity and individually; and  
**CHRISTINE LITTLEJOHN**, an  
individual,

Defendants.

CASE NUMBER 2:07-CV-149-MEF

JURY TRIAL DEMANDED

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COMES NOW the City of Clanton, Alabama, a municipal organization,  
Mayor Billy Joe Driver, Chief James Henderson, and Corporal Greg Charles to file  
their Motion for Summary Judgment and as grounds therefore, state as follows:

1. There is no genuine issue as to any material fact.
2. The Defendants are entitled to a judgment as a matter of law.
3. This motion is supported by all of the pleadings in this case.

4. This motion is further supported by a brief, a narrative statement of undisputed facts, and an evidentiary submission, which are filed simultaneously herewith, as well as Defendants' prior filed Motion to Dismiss, Response to Plaintiff's Opposition and Brief in Support of their Motion to Dismiss, Evidentiary Submission, and Reply to Plaintiff's Response to Evidentiary Submission.

WHEREFORE, the Defendants now seeks summary judgment. As to these Defendants, there are no genuine issue of material fact; the law supports judgment in their favor.

/s/ James W. Porter II

James W. Porter II, one of the  
Attorneys for Defendants, City of Clanton,  
Mayor Billy Joe Driver, James Henderson,  
and Greg Charles  
State Bar ID ASB 3314 T79J  
State Code POR001

/s/ Christy Lynn Sherbrook

Christy Lynn Sherbrook, one of the  
Attorneys for Defendants, City of Clanton,  
Mayor Billy Joe Driver, James Henderson,  
and Greg Charles  
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*CERTIFICATE OF SERVICE*

I hereby certify that a copy of the above and foregoing has been ***electronically filed*** with the Clerk of the Court using the CM/ECF system which will send notification of such filing upon the following, this, the 3<sup>rd</sup> day of **October, 2007**. If Notice of Electronic Filing indicates that Notice should be delivered by other means to any of the following, I certify that a copy will be sent via U.S. Mail, properly addressed, postage prepaid.

Donald G. Madison, Esq.

418 Scott Street

Montgomery, AL 36104

/s/ James W. Porter II

OF COUNSEL